

1 James H. Seymour SBC No. 048651
706 Cowper Street
2 Palo Alto, California 94301
Telephone: (650) 323-7226
3 Counsel for Appellant
Jennifer M. Moore
4
5
6
7

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 In re

No. 07-03715 MMC

11 RICHARD L. HATFIELD,
12

Appeal from USBC (N.D. Cal.)
No. 07-30031 TEC 7

13
14 Alleged Debtor.
15

**NOTICE BY JENNIFER M. MOORE
OF SUBMISSION OF MOTION IN
BANKRUPTCY COURT REQUESTING
BANKRUPTCY COURT TO
ENTERTAIN MOTION FOR RELIEF
PURSUANT TO BANKRUPTCY
RULE 9024 (RULE 60(b), F. R. Civ. P.)**

16 JENNIFER M. MOORE,

17 Appellant,

18 vs.

19 RICHARD L. HATFIELD,
FIRST TRUST CORPORATION
20 FBO RICHARD L. SPEES
FIRST TRUST CORPORATION
21 FBO J.D. ERICKSON, and
GEORGE RNJAK,
22

Appellees.
23
24
25
26
27
28

1 TO: The Honorable Maxine Mackler Chesney, United States District Judge, and to all
2 parties and their counsel of record.

3 NOTICE IS HEREBY GIVEN that on 18 January 2008, a hearing was held on the motion
4 by appellant Jennifer M. Moore in the bankruptcy case of *In re Richard L. Hatfield.*,
5 number 07-30031 TEC 7, in the United States Bankruptcy Court for the Northern District
6 of California, requesting that the bankruptcy court consent to hear her motion, pursuant
7 to Bankruptcy Rule 9024, which incorporates the principal provisions of rule 60(b), F.
8 R. Civ. P., for relief from the dismissal of the case. Judge Carlson has not yet ruled on
9 her motion.

10 No opposition was filed, nor was any argument in opposition presented at the
11 hearing. Judge Carlson took the motion under submission and has not yet ruled on her
12 motion.

13 As stated in the *Memorandum of Jennifer M. Moore re Status of Appeal and*
14 *Changed Circumstances*, filed in this appeal from the dismissal on 19 November 2007,
15 the motion is made pursuant to the procedure described in *Gould vs. Mutual Life Ins. Co.*
16 *of New York*, 790 F.2d 769, 772 (9th Cir. 1986), and reiterated in *Davis vs. Yageo*, 481
17 F.3d 661, 685 (9th Cir. 2007).

18 Respectfully submitted,

19 JAMES H. SEYMOUR

20
21 Dated: 28 January 2008

22 /s/ James H. Seymour
James H. Seymour
Counsel for Appellant Jennifer M. Moore